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10/075,082	02/13/2002	Anthony C. Parra		7564

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EXAMINER

MARKS, CHRISTINA M

ART UNIT	PAPER NUMBER
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3713

DATE MAILED: 05/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/075,082

Applicant(s)

PARRA ET AL.

Examiner

C. Marks

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,2 and 4-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,2 and 4-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Claim Rejections - 35 USC § 112***

The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

Claims 1-2 and 4-14 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. Upon review of the specification it does not appear to be explicitly disclosed that the vertical member must be fixedly attached to the base nor that the horizontal member is fixedly attached to the upper end. These limitations appear to be new matter that is not disclosed in the specification in a way that suggests that they were contemplated and supported. The specification does not limit the invention in such a manner and does not provide evidence that such an embodiment is supported. Applicant is invited to point out explicit and definitive support of such if it does indeed exist by referencing the page and line number that disclose these elements must be fixedly attached.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 1 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706).

Walsh discloses a casino game station that has a table including an upper surface (FIG 1, reference 25) wherein though Walsh does not explicitly disclose so, the table axiomatically has marking thereon for use in the playing of a game of chance wherein a plurality of playing stations are designated for each player to participate in a game of chance. Further a dealer station would also be axiomatic. Walsh also discloses a canopy extending from a vertical extension wherein the canopy is placed above the table (FIG 1, reference 22). Inside the canopy is disposed a motion video camera positioned towards the upper surface to record the playing of the game being played on the upper surface of the table (Column 1, lines 45-47).

Though Walsh does disclose a canopy member extending from a vertical support of the ceiling, the exact format as claimed by the applicant is not disclosed.

Chapman discloses a second alternative method for supporting a camera used to record footage. Chapman discloses a pedestal that includes a base member and a member extending vertically from the base until an upper end. At the upper end, a horizontal member extends until an upper end wherein the camera is disposed. Both members are fixedly attached thereto as they can firmly be set in position. They are attached in a manner that they are fixed to their bases as they cannot be readily removed or unattached. Though they may be pivoted, they are still fixedly attached as they are not removable from the system and are thus fixed too it. Further, it would be obvious to a skilled artisan that when employing the structure into the system of Walsh that a casino would not require the movement and hinging that a movie studio would and that the crane could become integral and still serve the functions required by the casino, thus making it entirely fixable would be obvious to a skilled artisan who would be motivated by the environment and requirements for usage in a casino. A skilled artisan would

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thoroughly understand these limitations and requirements and would be motivated to design devices to adhere and enhance them and thus making the crane entirely fixed would be obvious to such an artisan to make the device more readily usable in a casino.

It would have been obvious to one of ordinary skill in the art to employ the structural means of Chapman into the system of Walsh. The means in which the camera is mounted is a design choice, and absent a showing of criticality would have been obvious to one of ordinary skill in the art. In the incorporation of the Chapman design into the system of Walsh, one of ordinary skill in the art would understand the camera would be disposed in a canopy as it is disclosed by Walsh that monitoring should be unobtrusive (Column 1, lines 41-42).

Further, it would obvious to use the crane system of Chapman as opposed to solely mounting the camera on the ceiling as is known in the art and also disclosed by Walsh that monitoring should be concealed as well as be at a close distance to the table. Thus by using a crane system with a canopy as a design alternative, a system where the camera would be unobtrusive to the user and still within an acceptable distance to the table would be achieved. Absent from the fact that the crane system is a very obvious design choice of one in the art, one of ordinary skill in the art would be further motivated to employ the crane system as it would allow for a better positions of the camera as well as the ability to incorporate a camera with more features as using the crane would inherently provide more room to store the camera, thus allowing larger more powerful cameras.

Claim 2 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Wynn et al. (US Patent No. 5,971,271).

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What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh does not disclose a headset for the dealer in order to be connected to a supervisor. However, it is well known in the art that dealers are in constant communication with their supervisors in order to keep an order to the game as well as for contact in case of arising situations.

Wynn et al. disclose incorporating an audio channel between a user and a central location manned by those who can communicate with the user in order to provide assistance (Abstract). Though Wynn et al. disclose this functionality to assist the players, one of ordinary skill in the art would immediately recognize the functionality disclosed by the headset device could be equally adaptive to a table game in order to keep the dealer in communication with supervisors. One of ordinary skill in the art would be motivated to provide the dealer at the table as disclosed by Walsh et al. with such a headset in order to allow the dealer to communicate audio messages to the supervisor who is viewing the feed of the camera to not only provide the supervisor with more information relating to the game but to also receive instructions from the supervisor as how to handle situations the supervisor may see arising. This would increase the security of the table already present by the camera thus creating an even greater means to ensure the integrity of the game within the casino.

Claims 4, 7 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Sines et al. (US Patent No. 6,270,404).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

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Walsh and Chapman do not disclose incorporating a means to display information in their systems.

Sines et al. disclose using a monitor for displaying the game to the user as the user plays (FIG 2). These monitors show the contents of the game to the players by substituting for actual cards. Further, during idle times in the game, the monitors are used to display advertising material to the players (Column 17, lines 32-35).

It would have been obvious to one of ordinary skill in the art to employ the display means of Sines et al. into the system of Walsh et al. wherein instead of displaying the cards to the player as disclosed by Sines et al. the system of Walsh et al. would broadcast that which is being filmed. It is notoriously well known in the art that the filmed data from the camera is broadcast for viewing. By incorporating the teaching of Sines et al. involving using monitors at the gaming table, it would be obvious to one of ordinary skill in the art that these monitors could also be used not only to enhance security in games where cards are replaced, but also be used to enhance security in games where cards are not replaced by displaying the taped game to the users. By doing this, the users would be more aware of what is going on around them and would be more inclined to detect and report mischievous acts as such acts could directly affect them. Therefore, one of ordinary skill in the art would be motivated to incorporate the filmed data from an actual card game into the monitor of Sines et al. as by involving a greater number of people in the security of the system, the casino security would get a lot more exposure thus becoming more effective.

Further, one of ordinary skill in the art would be motivated to mount this monitor on the pedestal apparatus as disclosed by Chapman because when the monitor would be displaying advertising material as disclosed by Sines et al. it would reach a greater amount of people in the casino as opposed to just the players of the table game thus enhancing the value of the

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advertisement. The placement of the monitor would be a design choice and it would thus be obvious to one of ordinary skill in the art. Additionally, one of ordinary skill in the art would be further motivated to mount the monitor in a higher position, such as the number of mounting positions axiomatically available on the Chapman crane, as it would then be able to be broadcast to a number of people instead of just the user at the playing station. In addition to advertising displays, one of ordinary skill in the art would further understand that by mounting the displays at a higher position as disclosed above to broadcast the camera signal, a greater number of patrons/employees would be encompassed in monitoring security as the feed from the game would be broadcast to the entire viewing area thus greatly discouraging cheaters as they would feel more likely to be caught.

Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Parra et al. (US Patent No. 5,839,960).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Because the disclosure of Walsh is related to the security features of the gaming table and not the table itself, Walsh does not explicitly disclose a socket for use with a telephone for patrons.

Parra et al. disclose a gaming table that incorporates a telephone into the table in order to provide the players with the opportunity to make or receive calls, make reservations, etc. without having to leave the table (Column 12, lines 30-67). By making this incorporation, each player can be provided with the convenience of being in contact with those not at the table, but not have to leave their spot at the table in order to do so.



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One of ordinary skill in the art would thus be motivated to make this incorporation into the system of Walsh, as it is disclosed by Parra et al. that player convenience is thus enhanced and thus the player will not be forced to move from their spot at the table in order to take care of business issues. Further, such a design choice would have been obvious to one of ordinary skill in the art. It is known in the art that sometimes players wait a long time to achieve their spots as well as the fact that players may think that their current spot is lucky. Thus, by allowing players to make contact with others without having to leave the table as disclosed by Parra et al. the players enjoyment would be greatly increased and the player would be more likely to stay at their position and thus place more bets likely to generate even more revenue for the casino.

Claims 6 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Jones, II et al. (US Patent No. 6,154,131).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh does not disclose what becomes of the video that is taped from the cameras disposed in the canopy. However, it is notoriously well known in the art that when surveillance cameras are being used to monitor gaming tables, the feed from the camera is sent to a remote video display for observation by a supervisor.

Jones, II et al. support this fact as it is disclosed that video surveillance requires a human element that must always be present and evaluate the actions of the persons at the gaming table as taped by the optical security system.

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Therefore, it is obvious to the system of Walsh that a remote video display is connected to the video camera wherein a human element must be monitoring the feed in order to detect cheating and/or other mischievous acts.

Claims 8-9 and 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Walsh (US Patent No. 5,726,706) in view of Chapman (US Patent No. 6,450,706) further in view of Breeding et al. (US Patent No. 6,299,534).

What Walsh and Chapman disclose, teach, and/or suggest has been discussed above and is incorporated herein.

Walsh and Chapman do not disclose a tray in accordance with the pedestal in which the tray can be fitted with a retainer for retaining extra chips.

Dealer stations are notoriously well known in the art as assistance means to provide the dealer with extra paraphernalia that may be required in the game. Such stations are known to include extra chip retainers. These caddies can be associated with the table or movable from table to table.

Breeding et al. disclose such a type of caddy (FIG 1) that provides the dealer with supplemental functionality in addition to what can be stored at the table. Though Breeding et al. do not explicitly disclose that a chip retainer is held in the station, such an incorporation would have been obvious to one of ordinary skill in the art as it is notoriously well known that every dealer needs sets of chips to properly handle wagers and that the chips can be used at a relatively fast pace, thus supplying an extra retainer would be obvious to one of ordinary skill in the art.

Further, it would have been obvious as a design choice to mount the tray at a location other than on the actual gaming table. One of ordinary skill in the art would understand the

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location to which the station is mounted is not critical and thus obvious as long as it is in a position of easy accessibility by the dealer. Thus it would have been obvious to one of ordinary skill in the art to mount the station on the crane as provided by Chapman as the station would still be easily accessible by the dealer. Further, one of ordinary skill in the art would be motivated to mount the tray on the crane as there is plenty of area available on the crane and by moving the tray there, the area of the table would not be thus crowded and special adaptations would not be required to the table which is known to be constantly changed. By incorporating the dealer station in the stationary crane device, it would not become a concern when the table top is being serviced, as the felt is often changed in addition to the actual game as is notoriously well known in the art.

### ***Response to Arguments***

Applicant's arguments filed 18 February 2004 have been fully considered but they are not persuasive.

Regarding Applicant's argument that Chapman does not disclose the members are fixedly attached, the Examiner respectfully disagrees as detailed above. Specifically, both members are fixedly attached thereto as they can firmly be set in position. They are attached in a manner that they are fixed to their bases as they cannot be readily removed or unattached. Though they may be pivoted, they are still fixedly attached as they are not removable from the system and are thus fixed too it. Further, it would be obvious to a skilled artisan that when employing the structure into the system of Walsh that a casino would not require the movement and hinging that a movie studio would and that the crane could become integral and still serve the functions required by the casino, thus making it entirely fixable would be obvious to a skilled artisan who would be motivated by the environment and requirements for usage in a casino. A skilled artisan would thoroughly understand these limitations and requirements and would be

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motivated to design devices to adhere and enhance them and thus making the crane entirely fixed would be obvious to such an artisan to make the device more readily usable in a casino.

Regarding the Applicant's argument that they intend the word "fixedly" to be interpreted as excluding any form of joint, such as the hinges of the crane of Chapman, that would permit adjustment of the relationship between the parts, the Examiner expressly notes that such attempts to limit the claim language is not properly presented in the arguments. If the Applicant desires such interpretation and limitation it should be explicitly defined in the claim language, as the arguments are not the proper means to define what the Applicant intends the claims to define and is thus not convincing. Regardless, the Examiner has addressed such an issue above in the rejection and maintains that it would be obvious that the Chapman device could be altered in the casino environment to be a rigid entity.

Regarding the Applicant's argument that the Chapman crane would be altered in a manner that would render it unsuitable for the purpose that it was intended, the Examiner reminds the Applicant that the Chapman reference was relied upon for its support of the camera, not its ability to move the pedestal in certain ways and thus it would not be inoperable if altered as claimed as it would still function to support the camera in the means disclosed by the Examiner even if it were to be altered to be rigid. It would not serve to render the device inoperable in the manner in which the Examiner has disclosed its function. It would still be suited for the intended purpose defined by the Examiner.

Regarding the declaration of Mr. Parra, the Examiner reminds the Applicant that for declarations to be considered and given appropriate weight, they must be submitted as an affidavit under the requirements and regulations of 37 C.F.R §1.132. Regardless, the Examiner submits that just because a camera has not been mounted to the end of an arm on a pedestal over a long period of time, does not support the fact that it is not a design choice to do so. It is

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merely an opinion and has no factual support, as there is no evidence that this period of time proves that the adaptation is not a choice of design.

**Conclusion**

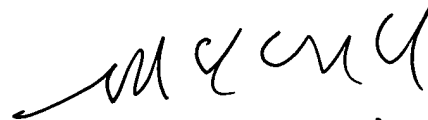
Any inquiry concerning this communication or earlier communications from the examiner should be directed to C. Marks whose telephone number is (703)-305-7497. The examiner can normally be reached on Monday - Thursday (7:30AM - 5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, Jessica Harrison, Primary Examiner, can be reached on (703)-308-2217. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



cmm  
May 25, 2004



**MICHAEL O'NEILL**  
**PRIMARY EXAMINER**